



Discrimination and Harassment

Why is this Group Standard important?	<p>AGA is committed to maintaining a workplace in which everyone is treated fairly and with dignity and respect. This standard establishes a baseline for a workplace that is free of discrimination, harassment, sexual harassment, bullying and workplace violence.</p> <p>This standard must be read in conjunction with the People Policy.</p>
Audience	All AGA directors, officers, employees, contractors, business partners and anyone conducting business on behalf of AGA, while on AGA property and while interacting with AGA employees, contractors, vendors, business partners, job applicants; clients; suppliers; and others having dealings with AGA.
Legend	<p><u>Glossary terms</u> are underlined and in italics.</p> <p>Hyperlink to another document or to an intranet site or website</p>
Glossary	<p><u><i>Bullying</i></u> Repeated unreasonable behaviour towards an individual or a group by one or more persons that creates a risk to health and safety.</p> <p>It includes, but is not limited to:</p> <ul style="list-style-type: none"> • Aggressive or intimidating acts that are generally non-physical but that create significant psychological or physical harm, including psychological harassment or violence, such as verbal abuse. • Acts or verbal statements intending to threaten, humiliate or intimidate, such as using offensive language. • Work interference or sabotage, which prevents work from getting done. <p>Bullying does not include reasonable management action carried out in a reasonable manner.</p> <p><u><i>Discrimination</i></u> Unjust or prejudicial treatment of people based on one or more of the following personal characteristics: race, sex, gender, pregnancy, relationship status, family or carer's responsibilities, ethnic or social origin, colour, culture, language, age, sexual orientation, HIV status, physical or mental disability, religion or political opinion.</p>

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Harassment

Unwelcome physical, verbal or non-verbal conduct based on the personal characteristics (see *discrimination*), which may humiliate, intimidate or offend a person. Harassment can be an isolated incident, a series of incidents or an ongoing pattern of behaviour.

It includes, but is not limited to:

- Any physical, verbal, or non-verbal conduct which is unwelcome and offensive to the recipient.
- Racial harassment, which includes abusive language and racist jokes, racially offensive written or visual material which includes online harassment, racist name calling or negative stereotyping, offensive behaviour in the form of open hostility to persons of a specific racial or ethnic group, subtle or blatant exclusion from workplace interaction and threatening behaviour.
- Inappropriate and unwelcome gestures.
- Violence, physical abuse, psychological abuse, emotional abuse, the physical force of power, whether threatened or actual, against another person or against a group or community.
- Any other conduct which causes the recipient to feel threatened, humiliated, intimidated, patronised, denigrated, bullied or distressed, or which impairs or adversely affects the dignity, equality, job security or employment opportunity of the recipient.

Sexual harassment

Unwelcome physical, verbal or non-verbal conduct of a sexual nature on the basis of sex, gender or sexual orientation, whether direct or indirect, that a reasonable person would expect to offend, humiliate or intimate. Sexual harassment can be from a person of any gender, gender identity or gender expression, to another person of any gender, gender identity or gender expression.

It includes, but is not limited to:

- Unwelcome sexual advances, requests for sexual favors, unsolicited physical contact, unwelcome flirtations, offensive verbal, visual or physical conduct of a sexual nature, suggestive or lewd remarks, unwanted hugs or touches, offensive jokes or visuals, pornography or sexually explicit material.
- Victimized or intimidating behaviour for failing to submit to sexual advances.
- Influencing, attempting to influence or threatening to influence an employee's employment circumstances (for example engagement, promotion, training, discipline, dismissal, salary increments or other benefits) to persuade or attempt to persuade an employee to surrender to sexual advances.

A person in authority in the workplace rewarding those who respond to that person's sexual advances.

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Work-place
violence

Threats or acts of violence, including but not limited to:

- Threats or acts of physical or aggressive contact directed towards another individual or their family, friends, associates or property.
- Intentional destruction, defacing of, or threat of the defacing or destruction of AGA property or another individual's property.
- Harassing or threatening phone calls or electronic messages.
- Stalking.
- Veiled threats of physical harm or similar intimidation.

Any conduct resulting in an arrest or conviction under any criminal law relating to violence or threats of violence.

You must comply with AGA Group-wide Standards to the extent they apply

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Appropriate workplace behaviour

We are committed to creating a work environment where the dignity of employees is respected. We will not tolerate discrimination in employment, recruitment, compensation, termination, promotions, and other conditions of employment against any employee or job applicant based on personal characteristics unrelated to the requirements of the job and we will provide a workplace that is free from bullying, discrimination, harassment, sexual harassment and workplace violence.

- Develop, document and implement procedures to ensure all employment decisions are made in environment free from discrimination and are not made on the basis of personal characteristics unrelated to requirements of the job, with the exception of targets:
 - mandated by law.
 - which are developed through local agreements for the employment of local residents, indigenous peoples, or individuals who have been historically disadvantaged and documented in publicly accessible documents with explicit goals and justification for the targets being developed.
- Implement reasonable accommodations based on protected characteristics with regard to applicable laws in the operating jurisdiction.
- Develop, document and implement a procedure that sets out the behavioural standards for employees and the possible disciplinary outcomes (including termination of employment) that may be applied.
 - Specify the type of conduct that may warrant disciplinary action, including bullying, discrimination, harassment, sexual harassment and work-place violence.
 - Specify procedural fairness considerations.
 - Consider applicable laws, contractual and labour requirements for the operating jurisdiction.
- Develop, document and implement the disciplinary processes that will be followed in the event of bullying, discrimination, harassment, sexual harassment and work-place violence, including consultation with Human Relations to determine the appropriate disciplinary action in cases where a final warning or termination is being considered.

Training and communication

We make sure that our employees are aware of and understand their obligation to demonstrate respectful, appropriate and professional workplace behaviours and refrain from bullying, discrimination, harassment, sexual harassment and work-place violence.

- Provide mandatory training to all employees, including those on fixed-term, casual and other non-permanent types of contracts, that sets out:
 - their duty to demonstrate respectful, appropriate and professional workplace behaviours in accordance with the AGA Code of Conduct and to refrain from committing acts of bullying, discrimination, harassment, sexual harassment and work-place violence
 - procedures for raising a concern, query, allegation or complaint of bullying, discrimination, harassment, sexual harassment and work-place violence
- Require all service providers to demonstrate that anyone working on their behalf at an AGA location has completed mandatory training that meets the requirements of this standard.

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- Provide training to line managers and employees with supervisory duties to effectively respond to concerns, queries, allegations or complaints of bullying, discrimination, harassment, sexual harassment and work-place violence.
- Maintain records of training attendance.

Support, Complaints and allegations

We investigate and take appropriate action in response to any confirmed breaches of our policies, standards and procedures and we do not tolerate retaliation or adverse employment consequences against those who raise concerns about bullying, discrimination, harassment, sexual harassment and work-place violence.

- Treat all allegations and complaints about bullying, discrimination, harassment, sexual harassment and work-place violence seriously, deal with them expeditiously and, as far as possible, maintain confidentiality concerning the identities of the persons involved.
- Acknowledge and mitigate any issues that may impact the ability of the person with whom the issue has been raised (for example, the Human Resources representative or line manager) to act impartially.
- Provide employees, as necessary, with access to the Employee Assistance Program, trauma support services and medical advice, and give due consideration to the granting of leave, counselling or other assistance recommended on medical advice.
- Where a formal investigation is determined to be necessary, follow the requirements of the Investigations Group Standard and conduct the investigation in a timely manner.
- Document the outcome, and the basis for that outcome, of any investigation.
- Ensure there are channels in place for reporting of all allegations and complaints about bullying, discrimination, harassment, sexual harassment and work-place violence, and the outcomes of any investigation are appropriately reported and implemented.
- Recognise the right of the individual to take action in an external forum, such as a court of law.
- Ensure there is no retaliation, harassment or adverse employment outcomes, either directly or indirectly, against anyone who raises a concern, query, allegation or complaint in good faith, or anyone who assists in an investigation into bullying, discrimination, harassment, sexual harassment and work-place violence.

Version history

Effective date	Authorised by	Change summary
08 July 2022	Chief Executive Officer	First version

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